

FILED

August 23, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

BY: Jennifer Clark
DEPUTY

LASHIFY, INC.,

Plaintiff,

v.

QINGDAO LASHBEAUTY COSMETIC CO.,
LTD. d/b/a WORLDBEAUTY,

Defendant.

Civil Action No. 6:22-cv-00776-ADA-DTG

JURY TRIAL DEMANDED

VERDICT FORM


310 PR
3/23/24

When answering the following questions and filling out this Verdict Form, you are to follow the instructions I have given you in the Court's Jury Charge and follow the directions provided throughout this form. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Charge. Please refer to the Jury Charge if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein, the following terms have the following meanings:

- "Lashify" refers to Plaintiff Lashify, Inc.
- "Worldbeauty" refers to Defendant Qingdao Lashbeauty Cosmetics Co., Ltd. d/b/a Worldbeauty
- The '260 patent refers to U.S. Patent No. 11,219,260.
- The '020 patent refers to U.S. Patent No. 11,253,020.
- The '472 patent refers to U.S. Patent No. 11,234,472.

The "Asserted Patents" collectively refer to the '260 patent, the '020 patent, and the '472 patent.

We, the jury, unanimously agree to the answers to the following questions and return them as our verdict in this case:

QUESTION 1: INFRINGEMENT

Did Lashify prove, by a preponderance of the evidence, that Worldbeauty has directly infringed the following asserted claims of the Asserted Patents?

Check "Yes" or "No" for each of the asserted claims.

*"Yes" is a finding for **Lashify**. "No" is a finding for **Worldbeauty**.*

| | | | | |
|--------------------|-----|-------------------------------------|----|--|
| '260 Patent | | | | |
| Claim 3 | YES | <input checked="" type="checkbox"/> | NO | |
| '020 Patent | | | | |
| Claim 6 | YES | <input checked="" type="checkbox"/> | NO | |
| '472 Patent | | | | |
| Claim 15 | YES | <input checked="" type="checkbox"/> | NO | |

If you answered "Yes" to any claims in Question 1, you must answer Questions 2 and 3.

If you answered "No" to all claims of Question 1, then do not answer any further questions and proceed to the final page.

QUESTION 2: WILLFULNESS – PATENT INFRINGEMENT

If you answered "Yes" for any claim in Question 1, did Lashify prove, by a preponderance of the evidence, that Worldbeauty's infringement was willful?

Check "Yes" or "No."

"Yes" is a finding for Lashify. "No" is a finding for Worldbeauty.

Yes



No

Only answer Question 3 for a given claim if you answered “Yes” to Question 1 regarding that same claim. If you answered “No” to all claims of Question 1, then do not answer any further questions and proceed to the final page.

QUESTION 3: INVALIDITY

Did Worldbeauty prove, by clear and convincing evidence, that the following claims of the Asserted Patents are invalid as obvious in light of the prior art?

Check “Yes” or “No” for each asserted claim for which you answered “Yes” in Question 1.

“Yes” is a finding in favor of Worldbeauty. “No” is in favor of Lashify.

| | | | | |
|--------------------|-----|--|----|---|
| '260 Patent | | | | |
| Claim 3 | YES | | NO | ✓ |
| '020 Patent | | | | |
| Claim 6 | YES | | NO | ✓ |
| '472 Patent | | | | |
| Claim 15 | YES | | NO | ✓ |

Please determine damages in Question 4 for all those claims you answered "Yes" in Question 1, AND you answered "No" for that same claim in Question 3.

QUESTION 4: PATENT INFRINGEMENT DAMAGES

What amount did Lashify prove, by a preponderance of the evidence, it is entitled to as damages for Worldbeauty's infringement?

Lost Profits: \$ 30.5 million

Reasonable Royalty: \$ 3,598,049 (B)

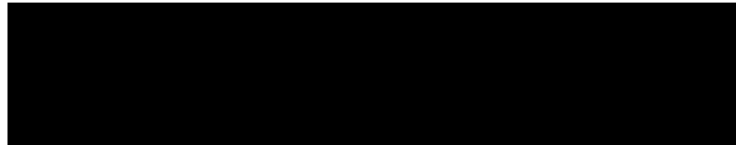
Royalty Rate: 30 %

FINAL PAGE OF THE JURY VERDICT FORM

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your **unanimous** determinations. The Jury Foreperson should then sign and date this Verdict Form in the spaces below. Once that is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should retain possession of the Verdict Form and bring it when the jury is brought back into the courtroom.

I certify that the jury unanimously concurs in every element of the above verdict.

Signed this 24th day of AUGUST, 2024



JURY FOREPERSON